

BEFORE THE

**Federal Communications Commission**

WASHINGTON, D. C. 20554

RECEIVED

MAY 1-0 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	MM Docket No. 94-14
	)	
Amendment of Section 73.202(b),	)	RM-8426
Table of Allotments,	)	
FM Broadcast Stations	)	
(Van Wert, Ohio)	)	

To: Chief, Allocations Branch

**REPLY COMMENTS**

Janice M. Scantland ("Scantland"), permittee of a new commercial FM broadcast station at Richwood, Ohio, hereby submits her reply comments regarding the Commission's Notice of Proposed Rulemaking, 9 FCC Rcd 1031 (1994) ("Notice"), in the above-captioned proceeding. Scantland has submitted a counterproposal to assign Channel 282B1 to Richwood, Ohio, in lieu of the proposal to allocate Channel 282A to Van Wert, Ohio. Since the submission of her counterproposal, Scantland has determined that a channel can be assigned to Van Wert which would permit both petitioners to achieve their respective objectives. Accordingly, Scantland requests that the following change be made to the FM Table of Allotments in lieu of the change proposed in the Notice:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Richwood, OH	282A	282B1
Van Wert, OH	255B	255B & 230A

No. of Copies rec'd 03  
List A B C D E

Discussion

This reply proposes the use of FM Channel 230A at Van Wert, Ohio, in lieu of the original proposal to allot Channel 282A to Van Wert. Although the use of Channel 230A at Van Wert will require it to be a specially negotiated short-spaced allotment, the use of Channel 230A would permit both Richwood and Van Wert to receive a new or modified allotment.

As demonstrated in the attached engineering statement in support of these reply comments, the proposed site for the Channel 230A allotment is located approximately 12.5 kilometers east of Van Wert in order to avoid a short-spacing to Station WGL-FM, operating on Channel 231A at Roanoke, Indiana.<sup>1</sup> The coordinates of the proposed site are identical to those proposed in the Notice. Moreover, the site will provide an unobstructed view of the city of Van Wert, and is located close enough to serve the entire community with the required 3.16 mV/m contour.

In addition, the proposed site meets the minimum separation requirements with respect to all known licenses, construction permits, open allotments, pending applications, and pending rulemakings, with the sole exception of Station CKLW-FM, operating on FM Channel 230C1 at Windsor, Ontario. Under the U.S.-Canadian Agreement, a specially negotiated short-spaced allotment is permitted, provided no objectionable interference is caused to the other country. In this case, although some overlap will be caused

---

<sup>1</sup> The proposed 0.3 km short-spacing to Station WGL-FM is within the 0.5 km tolerance permitted by the Commission's rules.

to Station CKLW operating with maximum facilities, all of the overlap is over U.S. land area. Thus, it is not objectionable under the Agreement. Moreover, Station CKLW is operating with an ERP of only 100 kW directionally, with an antenna HAAT of 200 meters. Therefore, the actual overlap caused and received will be substantially less than if CKLW were operating with maximum facilities.


Furthermore, although the proposed Channel 230A allotment at Van Wert will result in some overlap of contours, the Channel 230A allotment could use a directional antenna to avoid any received interference. Scantland requests, however, that no such requirement be imposed because permitting a small degree of overlap will result in greater interference free coverage for the Channel 230A allotment.

Scantland commits to file for her upgrade promptly upon grant of the Channel 282B1 allotment at Richwood, and to construct the new facilities promptly upon grant of her application for a construction permit.

WHEREFORE, In light of the foregoing, Janice M. Scantland respectfully requests that the FM Table of Allotments be amended to substitute FM Channel 282B1 for 282A at Richwood, Ohio, and that Channel 230A be allotted to Van Wert, Ohio, in lieu of Channel 282A.

JANICE M. SCANTLAND

By



Dennis F. Begley  
Andrew S. Kersting

Her Counsel

Reddy, Begley & Martin  
1001 22nd Street, N.W.  
Suite 350  
Washington, D.C. 20037

May 10, 1994

**MULLANEY ENGINEERING, INC.**

8049 SHADY GROVE COURT  
GAITHERSBURG, MD 20877

301 921-0115

**ENGINEERING EXHIBIT RM-1:**

**JANICE M. SCANTLAND  
RICHWOOD, OHIO  
SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
COUNTERPROPOSAL TO  
MM DOCKET 94-14 - VAN WERT, OHIO**

**APRIL 29, 1994**

**ENGINEERING STATEMENT IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND  
THE FM TABLE OF ASSIGNMENTS**

**REPLY COMMENTS**

**ORIGINAL  
SIGNATURE**

**MULLANEY ENGINEERING, INC.**

**ENGINEERING EXHIBIT RM-1:**

**JANICE M. SCANTLAND  
RICHWOOD, OHIO  
SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
COUNTERPROPOSAL TO  
MM DOCKET 94-14 - VAN WERT, OHIO**

**REPLY COMMENTS**

**TABLE OF CONTENTS:**

1. Declaration of Engineer
2. Narrative Statement.
3. Figure 1, Channel Allocation Study for Ch. 282B1. ‡  
for Richwood, Ohio.
4. Figure 1-A, Map Showing Allowable Area for Ch. 282B1. ‡
5. Figure 2, Channel Allocation Study for Ch. 230A.  
for Van Wert, Ohio.
6. Figure 3, Canadian Short Spacing Map for Ch. 230A.
7. Figure 3-A, Canadian Short Spacing Contours.

‡ - Contained in Exhibit RM: dated April 25, 1994.

**MULLANEY ENGINEERING, INC.**

**DECLARATION**

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by Janice M. Scantland to prepare an engineering statement in support of a Petition to Amend the FM Table of Assignments.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

  
John J. Mullaney

Executed on the 29th day of April 1994.

**ENGINEERING EXHIBIT RM-1:**

**JANICE M. SCANTLAND  
RICHWOOD, OHIO  
SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
COUNTERPROPOSAL TO  
MM DOCKET 94-14 - VAN WERT, OHIO**

**REPLY COMMENTS**

**NARRATIVE STATEMENT:**

**I. GENERAL:**

This engineering statement has been prepared on behalf of Janice M. Scantland. The purpose of this statement is to support reply comments concerning a request that the FM Table of Assignments be amended to substitute Ch. 282B1 for 282A at Richwood, Ohio.

The original Richwood proposal is a counterproposal to MM Docket 94-14 involving the pending request of Van Wert Radio to allot Ch. 282A to Van Wert, Ohio.

This reply statement proposes the use of FM Channel 230A at Van Wert, Ohio, in lieu of the original proposal to allot Channel 282A to Van Wert. The use of Channel 230A would permit both cities to receive a new or modified allotment, however, the use of 230A at Van Wert will require it to be a specially negotiated short-spaced allotment.

It should be noted that both locations are within 320 kilometers (199 miles) of a U.S. Border and, therefore, Canadian concurrence is required.



## II. ENGINEERING DISCUSSION:

### A. Proposed Site - Van Wert, Ohio:

The following geographic coordinates are for a special reference point located approximately 12.5 kilometers east of Van Wert:

Latitude: 40° 53' 09"

Longitude: 84° 26' 17"

It should be noted that the above coordinates are identical as those published in the notice of proposed rule making for Van Wert.

The proposed site will provide an unobstructed view of the City of License, Van Wert, OH, and is located close enough to serve the entire Community with the required 3.16 mV/M contour.

### B. Channel 230A - Allocation Study:

Figure 2 is a Channel Allocation Study from the Special Class A Reference Point for Van Wert, OH, proposed herein which indicates the required separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Applications, and pending Rule Makings. From this study it can be determined that the proposed special reference point exceeds all of the minimum separations to everything except the licensed operation of CKLW-FM which operates on FM Channel 230C1 at Windsor, Ontario. The proposed 0.3 km shortage to WGL-FM is within the 0.5 km tolerance permitted by the rules and, therefore is not a consideration.

Under the U.S.-Canadian Agreement, a specially negotiated short-spaced allotment is permitted provided no objectionable interference is caused to the other country. Since CKLW is a co-channel facility the appropriate Un-desired to Desired (U/D) ratio is -20 dB. The protected contour for CKLW is the 54 dBu contour and for the proposed Van Wert allotment is the 60 dBu contour (using domestic criteria).

Figure 3 & 3-A are a map and tabulation illustrating the appropriate protected and interfering contours for both CKLW and for the Van Wert allotment. While some overlap is caused to a maximum facility CKLW it should be noted that all of the overlap is over U.S. land area. Consequently, it is not objectionable under the agreement.

Some overlap of contours is caused to the proposed Van Wert allotment. While the Van Wert allotment could use a directional antenna to avoid any received interference it is requested that no such requirement be mandated by the staff. Permitting a some degree of overlap will actually result in more interference free coverage for the Van Wert allotment.

CKLW actually operates with an ERP of 100 kW directionally with an HAAT of 200 meters. Consequently, the overlap caused and received, will be substantially smaller than illustrated given the actual facilities in use.

The map also illustrates the area in which the 230A Van Wert allotment can be located based upon the

Janice M. Scantland  
Ch. 282B1 - Richwood, OH

MULLANEY ENGINEERING, INC.

spacing restrictions to other U.S. facilities. As can be seen, the special reference point is required to be east of Van Wert in order to avoid a short spacing to WGL-FM on Channel 231A at Roanoke, IN.

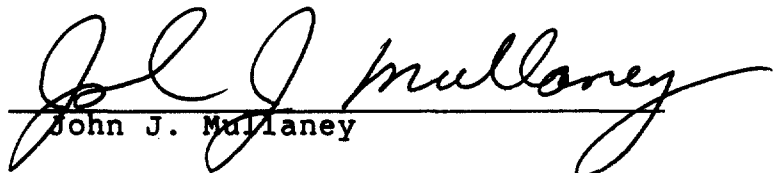
III. SUMMARY:

Janice M. Scantland requests that the FM Table of Assignments be amended to substitute FM Channel 282B1 for 282A at Richwood, OH. In addition, it has been determined that the use of Channel 230A in lieu of 282A at Van Wert, OH, will permit a new or modified channel allotment in both cities.

City	Present	Proposed
Richwood, OH	282A	282B1
Van Wert, OH	255B	255B & 230A

Janice M. Scantland believes that the proposed allotment will Serve the Public Interest and will promptly file an upgrade application should 282B1 be allotted to Richwood.

April 29, 1994.

  
John J. Mullaney

ALT-RM 230 A FR POLARIZATION ERP (KW) HAAT RCANSL  
 VAN WERT (RH) OH US HOR PLN BM TILT (METER) (METER)  
 40.5309 84.2617 (D.MHSS) HORIZONTAL 6.000 0.000 100.0  
 VERTICAL 6.000 0.000 100.0

THE FOLLOWING CONTOURS ARE CALCULATED USING:

CALCULATED HAAT FROM TOPO DATA BASE

ERP= 6.000 (KW) 7.8 (DBK) HAAT= 100.0 (METERS)

INTERFERING	DOMESTIC	CANADIAN
	DBU KM	DBU KM
CD CHANNEL ( 40.0)	86.7	(34.0) 98.9
1ST ADJACENT ( 54.0)	43.7	(48.0) 35.0
2ND ADJACENT ( 80.0)	9.1	(74.0) 7.0
3RD ADJACENT (100.0)	2.8	(94.0) 2.3
PROTECTED ( 60.0)	28.3	(54.0) 38.7
CITY GRADE ( 70.0)	16.2	

AZIMUTH	HAAT	HAAT	CONTOURS (KM)		
DEGREES	(METERS)	(FEET)	70 DBU	60 DBU	54 DBU
0.0	106.5	349.5	16.8	29.1	39.8
45.0	108.9	357.4	17.0	29.4	40.1
90.0	100.2	328.8	16.2	28.3	38.8
135.0	98.5	323.1	16.0	28.1	38.5
180.0	94.9	311.5	15.7	27.6	37.9
225.0	88.7	290.9	15.1	26.7	36.7
270.0	99.8	327.3	16.1	28.3	38.7
315.0	102.5	336.1	16.4	28.6	39.1
AVERAGE	100.0	328.1	16.2	28.3	38.7

EST SITE ELEVATION : 225.6 m.; 740.0 ft.  
 EST RAD CENTER AGL : 100.2 m.; 328.8 ft.  
 RAD CENTER A.M.S.L.: 325.8 m.; 1068.8 ft.

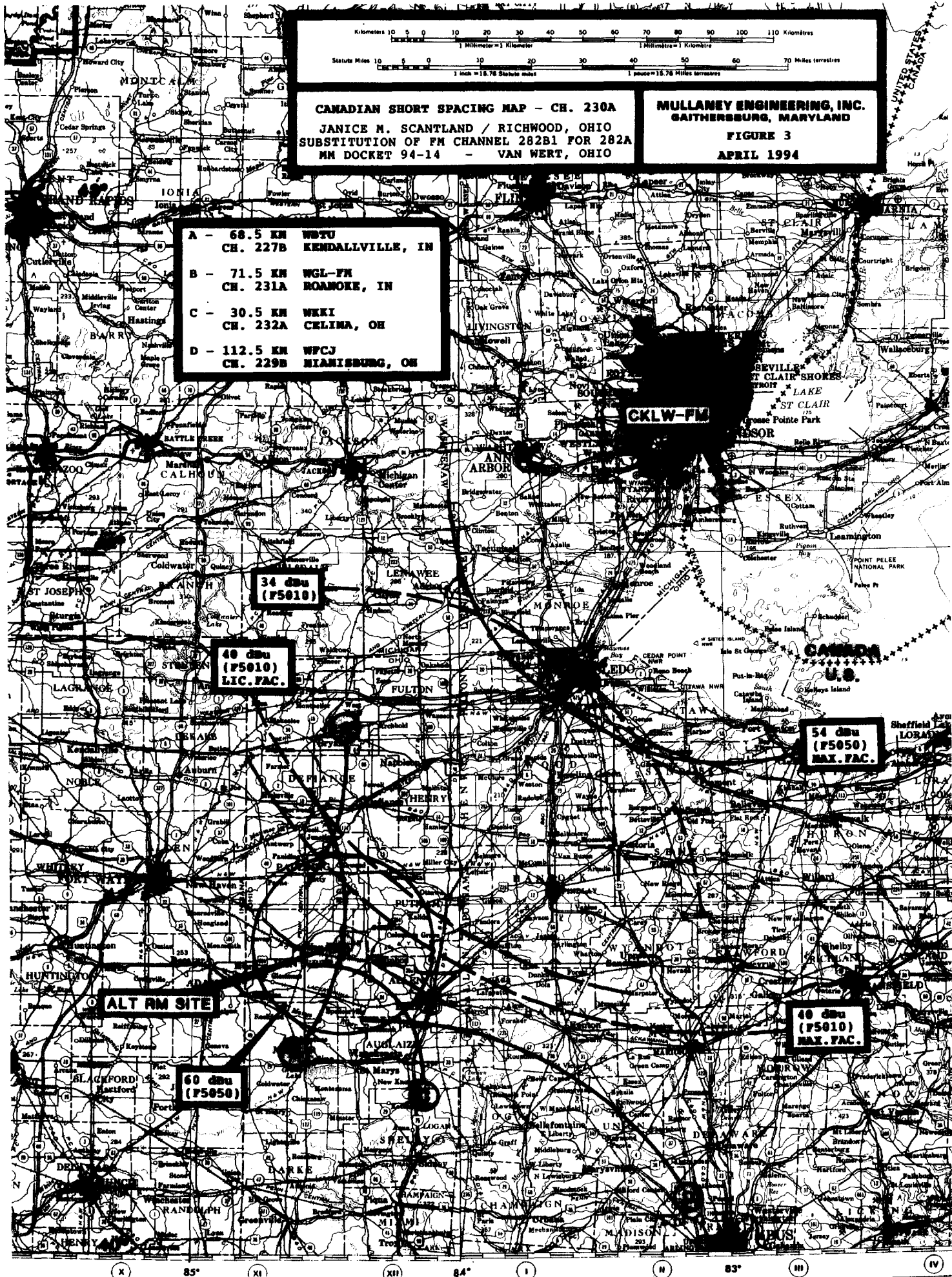
\*\*\*\*\*  
 \*\*\*THE CANADIAN BORDER IS 157.6 KM ON A BEARING OF 46.1 DEG. TRUE\*\*\*  
 \*\*\*\*\*

AZIMUTH	LAT	LONG	ERP (KW)	HAAT	D I-CON	P-CON	IR	IC	REZLT
FROM TO CALL STS	FILE NUMBER	CITY	ST C	(D.MHSS)	REL CHN	HORZ VERT (M)	A F5010 F5050 (KM) (KM)	DIST RSEP (KM) (KM)	RSEP IR IC (KM)
A 310.2 129.6 WBTU LIC	BLH850806KA	Kendallvi IN A	41.2355	85.1508	3RD 227B	50.H 50.V	150	89.0	69.
D 175.5 355.6 WFCJ LIC	BLH870514KA	Miamisbur OH A	39.3936	84.1850	1ST 229B	50.H 50.V	150	136.5	113.
234.0 53.0 WXTZ LIC	BLH930222KA	Noblesvil IN A	40.0055	85.5858	CD 230A	2.75H2.75V	150	162.8	115.
39.6 220.6 CKLWFM OPE		Windsor ON C	42.1015	82.5929	CD 230C1	100.H100.V	200D	186.9	256.
**COMMENT**SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION									
B 278.8 98.2 WGLFM LIC	BLH930104KA	Roanoke IN A	40.5851	85.1648	1ST 231A	6.H 6.V	100E	71.7	72.
353.6 173.5 WIDWFM LIC	BLH830711AJ	Jackson MI A	42.2332	84.4000	1ST 231B	40.H 40.V	168	168.4	113.
C 189.7 9.6 WKKI LIC	BLH860311KD	Celina OH A	40.3308	84.3046	2ND 232A	1.20H1.20V	137	37.6	31.

NOTE: PROPOSED OPERATION DOES NOT CAUSE OBJECTIONABLE INTERFERENCE TO CKLW-FM.  
 ALL INTERFERENCE TO CKLW IS OVER U.S. LAND AREA.

**CHANNEL 230A - VAN WERT, OHIO**  
 JANICE M. SCANTLAND / RICHWOOD, OHIO  
 SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
 MM DOCKET 94-14 - VAN WERT, OHIO

**MULLANEY ENGINEERING, INC.**  
 GAITHERSBURG, MARYLAND  
**FIGURE 2**  
**APRIL 1994**



CANADIAN SHORT SPACING MAP - CH. 230A  
JANICE M. SCANTLAND / RICHWOOD, OHIO  
SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
MM DOCKET 94-14 - VAN WERT, OHIO

MULLANEY ENGINEERING, INC.  
GAITHERSBURG, MARYLAND  
FIGURE 3  
APRIL 1994

- A - 68.5 KM WBTU  
CH. 227B KENDALLVILLE, IN
- B - 71.5 KM WGL-FM  
CH. 231A ROANOKE, IN
- C - 30.5 KM WKKI  
CH. 232A CELINA, OH
- D - 112.5 KM WFCJ  
CH. 229B HIANISBURG, OH

34 dBm  
(F5010)

40 dBm  
(F5010)  
LIC. FAC.

54 dBm  
(F5050)  
MAX. FAC.

40 dBm  
(F5010)  
MAX. FAC.

60 dBm  
(F5050)

ALT RM SITE

**VAN WERT, OH CH. 230A**

STATION	1	6.0 KW	100.0 Meters	
		PROTECTED	60.00 dBu CONTOUR IS	28.3 Kilometers
		INTERFERING	34.00 dBu CONTOUR IS	112.6

**CKLW-FM CH. 230C1 MAXIMUM FACILITIES**

STATION	2	100.0 KW	299.0 Meters	
		PROTECTED	54.00 dBu CONTOUR IS	86.3 Kilometers
		INTERFERING	40.00 dBu CONTOUR IS	171.9

MINIMUM SEPARATION TO PROTECT	1	200.2
MINIMUM SEPARATION TO PROTECT	2	198.9

MINIMUM SEPARATION TO PROTECT BOTH	200.2
U/D RATIO (dB)	-20.0

ACTUAL SEPARATION IN Kilometers	186.9
---------------------------------	-------

ACTUAL PROTECTED CONTOUR (dBu)	1	61.8
ACTUAL PROTECTED DISTANCE		25.7

ACTUAL PROTECTED CONTOUR (dBu)	2	55.6
ACTUAL PROTECTED DISTANCE		82.6

**VAN WERT, OH CH. 230A**

STATION	1	6.0 KW	100.0 Meters	
		PROTECTED	60.00 dBu CONTOUR IS	28.3 Kilometers
		INTERFERING	34.00 dBu CONTOUR IS	112.6

**CKLW-FM CH. 230C1 EXISTING FACILITIES**

STATION	2	100.0 KW	200.0 Meters	
		PROTECTED	54.00 dBu CONTOUR IS	77.4 Kilometers
		INTERFERING	40.00 dBu CONTOUR IS	161.8

MINIMUM SEPARATION TO PROTECT	1	190.1
MINIMUM SEPARATION TO PROTECT	2	190.0

MINIMUM SEPARATION TO PROTECT BOTH	190.1
U/D RATIO (dB)	-20.0

ACTUAL SEPARATION IN Kilometers	186.9
---------------------------------	-------

ACTUAL PROTECTED CONTOUR (dBu)	1	60.4
ACTUAL PROTECTED DISTANCE		27.7

ACTUAL PROTECTED CONTOUR (dBu)	2	54.4
ACTUAL PROTECTED DISTANCE		76.5

**CANADIAN SHORT SPACING CONTOURS - CH. 230A**

JANICE M. SCANTLAND / RICHWOOD, OHIO  
 SUBSTITUTION OF FM CHANNEL 282B1 FOR 282A  
 MM DOCKET 94-14 - VAN WERT, OHIO

**MULLANEY ENGINEERING, INC.**  
GAITHERSBURG, MARYLAND**FIGURE 3-A****APRIL 1994**

**CERTIFICATE OF SERVICE**

I, Andrew S. Kersting, hereby certify that on this 10th day of May, 1994, copies of the foregoing **REPLY COMMENTS** were mailed first class, postage pre-paid, to the following:

Ms. Leslie K. Shapiro\*  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8313  
Washington, D.C. 20554

Jerrold Miller, Esquire  
Miller & Miller, P.C.  
P.O. Box 33003  
Washington, D.C. 20033  
Counsel for Van Wert Radio

  
Andrew S. Kersting

\* Hand Delivered